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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/432,113	11/02/1999	NOBUHIRO SAITOU	826.1570/JDH	9639

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STAAS & HALSEY
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WASHINGTON, DC

EXAMINER

HARRISON, CHANTE E

ART UNIT	PAPER NUMBER
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2672

DATE MAILED: 03/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/432,113

Applicant(s)

SAITOU, NOBUHIRO

Examiner

Chante Harrison

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2001.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Amendment A, filed on 12/27/01.

This action is made FINAL.

2. Claims 1-13 are pending in the case. Claims 1, 5 and 8-13 are independent claims. Claim 13 has been added.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-5 and 7-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Mahesh Prakriya et al., U.S. Patent 6,154,220, 11/2000, 345/440.

As per independent claim 1, Prakriya discloses displaying a first and second object connected with a first connector (FIG. 3), creating both a second connector to connect the first and third object and a third connector connecting the third and second objects when a third object is in a predetermined position relative to the first connector (col. 13, ll. 25 et seq.; col. 14, ll. 25 et seq.; col. 16, ll. 20 et seq.; col. 17, ll. 34 et seq.).

As per dependent claim 2, Prakriya discloses creating the second and third connectors when the first connector and the third object overlap (col. 17, ll. 24-50).

As per dependent claim 3, Prakriya discloses judging whether a distance between the first and second objects will accommodate a third object and shifting one of the objects if the distance is insufficient (col. 16, ll. 1-21).

As per dependent claim 4, Prakriya discloses making the third object depend from the first and the second depend from the third if the second object depended from the first before the third object was inserted (col. 10, ll. 5-17).

As per independent claim 5, Prakriya discloses creating new connectors when the first connector is selected (col. 18, ll. 22 et seq.; col. 16, ll. 20-30). The rejection as applied to independent claim 1 is included herein.

As per dependent claim 7, Prakriya discloses a virtual coordinate system in which each box displaying one object (FIG. 4) and displaying each object in the coordinate system and locating each object using the coordinate system (col. 11, ll. 53 et seq.).

As per independent claim 8, Prakriya discloses displaying a plurality of second object connected to the first object (FIG. 4 & 6b). The rejection as applied to claim 1 is included herein.

As per independent claim 9, Prakriya discloses a method implemented in the apparatus of claim 1. Therefore the rejection as applied to claim 1 is included herein.

As per independent claim 10, Prakriya discloses a method implemented in the apparatus of claim 5. Therefore the rejection as applied to independent claim 5 is included herein.

As per independent claim 11, Prakriya discloses a medium (FIG. 1 '36'; col. 4, ll. 25 et seq.) for implementing the method of claim 9. Therefore the rejection as applied to claim 9 is included herein.

As per independent claim 12, Prakriya discloses a medium (FIG. 1 '36'; col. 4, ll. 25 et seq.) for implementing the method of claim 10. Therefore the rejection as applied to claim 10 is included herein.

Claim 13 is rejected under 35 U.S.C. 102(e) as being anticipated by Peter Selfridge et al., U.S. Patent 5,999,192, 12/1999.

As per independent claim 13, Selfridge discloses determining a first connection by comparing a position of an input device (col. 5-6, ll. 65-5), the first connection connecting a first and second displayed node (FIG. 1), inserting a node by creating a connection between the inserted node and the first node and another connection connecting the inserted node and the second node (FIG. 1; col. 5-6, ll. 64-1; col. 6, ll. 9-10).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mahesh Prakriya et al., U.S. Patent 6,154,220, 11/2000, 345/440.

As per dependent claim 6, Prakriya discloses shifting the second object and displaying the third in a position where the second was displayed (col. 15, ll. 30-45; col. 16, ll. 8-12, 20-45). Although Prakriya fails to disclose performing this step before the first connector was selected, it would have been obvious to one of skill in the art to use his disclosure because he determines the layout of the graph before he connects the objects (col. 14, ll. 25-30).

Response to Arguments

Applicant's arguments filed 12/27/01 have been fully considered but they are not persuasive. Prakriya et al. discloses a rectilinear layout system (FIG. 2), which processes and edits nodes to avoid overlap of connectors (col. 8, ll. 52-56), plotting subgroups on a layout surface (col. 8, ll. 33-40) and displaying a final graph of the hierarchical data (col. 9, ll. 4-10). Additionally, Prakriya discloses connecting objects relative to one another (FIG. 7B), which specifically shows a connection being established from record E to A to D. With respect to dependent claim 7, Prakriya teaches regions defining an area for displaying a single object (FIG. 5). Therefore the rejection as applied to claims 1-12 are maintained.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Chante Harrison whose telephone number is (703) 305-3937.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi, can be reached at (703) 305-4713.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

A handwritten signature in black ink, appearing to read 'Matthew Luu', with a stylized flourish at the end.

**MATTHEW LUU
PRIMARY EXAMINER**